

REMARKS

The Office Action dated February 13, 2004, included the following rejections, objections, and comments:

1. Claims 1, 5, 9, and 13 were rejected under 35 USC § 112, first paragraph.
2. Claims 1, 5, 9, and 13 were rejected under 35 USC § 103.

In response to these rejections, objections, and comments, and in view of the above Amendments, Applicant provides the following Remarks:

1. Rejection of Claims 1, 5, 9, and 13 under 35 USC § 112, first paragraph

Claims 1, 5, 9, and 13 were rejected under 35 USC § 112, first paragraph, because it was believed that the introduction of "introducing a colorant into a melt of said polymeric material" recited in Claims 1 and 5 was new matter not supported by the application. Applicant has cancelled Claims 1 and 9. With respect to independent Claim 5 and dependent Claims 7-8, and 13, Applicant respectfully submits that the limitation is supported by at least the originally presented Claim 6. Therefore, Applicant respectfully submits that Claim 5 complies with 35 USC § 112, first paragraph.

2. Rejection of Claims 1, 5, 9, and 13 under 35 USC § 103.

Claims 1, 5, 9, and 13 were rejected under 35 USC § 103 as being unpatentable over Brodmann in view of Freeman. Applicant has cancelled Claims 1 and 9. Applicant has also reinstated Claims 7 and 8, which depend from Claim 5 and therefore are also the subject of this reply.

Brodmann teaches the solvent finishing of a fiber glass fabric, not the formation of a yarn or a yarn formed of a polymeric material. The term "fiber glass fabric" in Brodmann refers to a woven fiber glass structure composed of a centrally continuous yarns. See Column 2, lines 29-30. The treatment comprises a first fabric treatment of a liquid pre-finishing composition, and a subsequent fabric treatment with a liquid finishing compound. See Column 4, line 66 – Column 5, line 44. The liquid pre-finishing composition is a substance that serves to activate the surface of the glass in the fabric and make it receptive to the finished treatment. See Column 3, lines 29 – Column 4, line 22. Although the liquid pre-finishing composition can include dye, Brodmann does not discuss or disclose the liquid pre-finishing composition having a polymeric material. The liquid finishing composition includes a "soluble synthetic resin" and a pigment dye,

which is disposed on the pre-formed fiber glass fabric in an aqueous or solvent liquid. See Column 4, lines 24-64 and Column 3, lines 1-29. Brodmann does not disclose a resin in a "melt" form, the introduction of a colorant into a resin in a melt form, or the formation of a yarn from that same resin.

In contrast, Claim 5 requires the introduction of a colorant into a melt of polymeric material, producing a yarn from the internally dyed polymeric material, and then externally dyeing the yarn. Applicant respectfully submits that Brodmann discloses coating a fabric, and does not teach, suggest, or provide a motive for forming a yarn from a resin material. Additionally, the Applicant respectfully submits that the "soluble synthetic resin" in Brodmann does not teach, suggest, or provide a motive for a polymeric material in a melt state where a colorant is introduced. Furthermore, Applicant respectfully submits that Brodmann does not disclose the direct dyeing on a yarn that has been produced from a polymeric material, or direct dyeing on a yarn formed from a polymeric material having a colorant therein. Applicant respectfully submits that Freeman does not overcome the deficiencies of Brodmann. Although Freeman may disclose the use of a UV lightfast dyed stuff incorporating a photo-stabilizer compound, Applicant respectfully submits that Freeman does not teach, suggest, or provide a motive for the formation of a polymeric yarn with a dye and UV stabilizer within the material and then subsequently dyeing the yarn after formation. Therefore, Applicant respectfully submits that the claimed invention is not obvious over Brodmann in view of Freeman.

Applicant having addressed all of the rejections, objections, and comments in the latest Office Action, respectfully requests reconsideration and allowance of the pending claims in view of the above Amendments and Remarks. Applicant respectfully submits that the amendments submitted herewith do not add new matter to the application. In the event that the Examiner believes that the claims would be allowable with minor changes, the Examiner is invited to telephone the undersigned to discuss an Examiner's Amendment.